

Voices of Survival:



**The Economic Impacts of Domestic Violence:
A Blueprint for Action**

We are indebted to the many survivors who came forward with courage, grace, and fortitude to share their stories with us. This report would never have been possible without each of them. In listening to their testimony and reviewing it closely over the past months, we remain humbled and inspired. In these pages, we have strived to represent their voices and experiences and to make recommendations which respond to the problems they identified. We dedicate this report to all survivors, those able to tell their stories and those still living with domestic violence, and we hold faith with the belief that in coming together we begin to shape a better future.

Voices of Survival:

The Economic Impacts of Domestic Violence, A Blueprint for Action

**The Economic Stability Working Group of the
Transition Subcommittee of the
Governor's Commission on Domestic Violence**

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Executive Summary

Introduction

The Economic Stability Working Group of the Transition Subcommittee of the Governor's Commission on Domestic Violence conducted a series of hearings across the Commonwealth in June 2001 to learn about the economic impacts of domestic abuse.

The hearings made clear that unless victims and their children are provided with both income and stabilization resources and supports, they will never be guaranteed safety or economic stability.

The first report, *Report on Findings from Statewide Hearings in Massachusetts: The Economic Impact of Domestic Violence On Survivors and Their Children*, sought to develop a shared understanding of the challenges of, and to inform work aimed at addressing the intrinsically connected issues of freedom from abuse and economic stability. Released in April, 2002, that report documented the needs for income supports and stabilization services.

Anyone reading this report works with and on behalf of survivors of domestic violence, whether or not one identifies as a domestic violence service provider. This report, therefore, contains recommendations for:

Individuals- in their communities and at their workplaces.

Employers and businesses- within their own companies and beyond.

Non-profit agencies- from domestic violence service providers to housing agencies.

Public entities- Including towns, cities, and regional affiliations.

State agencies- Including the Office for Child Care Services, the Division of Employment and Training, the Department of Revenue, Child Support Enforcement Division, the Department of Social Services, the Department of Transitional Assistance, the Department of Housing and Community Development, the Massachusetts Office for Victim Assistance and many others.

The legislature- Including fiscal as well as cost neutral recommendations.

For more than twenty years, as the domestic violence movement has developed sophisticated responses that focus on emergency shelter, criminal justice system intervention and therapeutic counseling, there remain too few remedies available that respond directly to the economic barriers to ending domestic violence. Statistical data supports broad recognition that financial

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abuse, dependence and economic insecurity contribute significantly to keeping victims in violent relationships.¹

The collaborations created and the funding received through the efforts of the Governor's Commission on Domestic Violence over the past ten years have resulted in a strong support system for victims in the state of Massachusetts. It has become obvious over time that despite systemic improvements, survivors still must achieve economic stability in order to permanently end the impacts of domestic violence in their lives. Clearly, it is critical that all victims have the ability to end economic dependence on their batterers who may be their spouses, their children's parent, the name on the apartment lease or mortgage, the sole breadwinner, owner of the family car and name on the bank account. Too often, leaving means starting over with nothing.

To identify and address the barriers that impede the abilities of victims of domestic violence to achieve economic stability, the Transition Subcommittee of the Governor's Commission on Domestic Violence established the Economic Stability Working Group. Members of the working group consist of both public and private employees, including representatives from Jane Doe Inc., Greater Boston Legal Services, Massachusetts Law Reform Institute, The Executive Office of Health and Human Services, the Department of Transitional Assistance, the Child Support Enforcement Division of the Department of Revenue, the Department of Social Services, and the law firm of Mintz, Levin, Ferris, Glovsky and Popeo, PC.

Purpose and Methodology

The purpose of the hearings was to solicit testimony from survivors of domestic violence and their children and from advocates, employers, law enforcement and other professionals from the community who spoke both from their personal and professional experience. The Economic Stability Working Group held four hearings in Springfield, Plymouth, Boston and Lawrence in public halls. The group worked with local domestic violence agencies to broadly publicize and encourage victims, survivors and those who work with them to attend and speak or submit written testimony. Community leaders from business, state and local government, social

¹ The intersection of domestic violence and poverty has been the subject of extensive research. Good examples for further information include: Browne, A. Salomon, A. and Bassuk, S.S. (April 1999) "The Impact of Recent Partner Violence on Poor Women's Capacity to Maintain Work." *Violence Against Women*, Vol. 5 No. 4 (393-425). Lloyd, S. and Taluc, (April 1999) "The Effects of Male Violence on Female Employment" *Violence Against Women*, Vol. 5 No. 4 (370-391), Jody Raphael and Richard Tolman, (1997) "Trapped By Poverty, Trapped By Abuse: New Evidence Documenting the Relationship Between Welfare and Domestic Violence."

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services, law enforcement, and community-based organizations comprised listening panels at each hearing. We asked those testifying to identify economic barriers that prevent victims from leaving abusive relationships as well as successful models that help survivors achieve and maintain safety and economic stability. Those who testified were asked to answer the following questions:

- What are the economic impacts of domestic violence?
- What barriers do victims face when trying to end domestic violence in their lives?
- What kinds of supports are helpful?
- Where are the support gaps and/or needs for policy responses?

We received written and oral testimony from more than 125 people, 40% of whom identified as survivors of domestic violence. The hearings were tape recorded and transcribed. The Economic Stability Working Group then analyzed the contents to determine the frequency at which various issues were raised and what trends and patterns emerged as we listened to the experiences of domestic violence survivors. The themes below were identified by way of this analysis. While the issues and needs may not surprise most that are familiar with barriers faced by domestic violence survivors, viewing them through the economic lens may shift our perspective and help inform comprehensive intervention and support approaches.

Findings

Although the testimony was varied and far-reaching, reading and analysis showed that there were themes and topics that surfaced again and again. Basic needs break down into two overarching categories—income needs and stabilization needs.

1

Income Needs:

- The need to obtain and sustain employment;
- The short-term need for immediate cash to alleviate emergency and transitional financial crisis;
- The need to safely and regularly receive child support; and
- The need for survivors who are unable to work or must care for children to receive adequate public assistance.

2

Stabilization Needs:

- The need for comprehensive, community-based emergency and supportive domestic violence services;
- The need for safe, permanent affordable housing;
- The need for quality affordable child care;
- The need for education and training;
- The need for legal support; and
- The need to raise public awareness about domestic abuse.

As we issue this report, Massachusetts faces a bleak fiscal situation. We included recommendations that can be made without additional funding by capitalizing on existing resources, often through efforts of new combinations of stakeholders. Many recommendations address cost neutral policy change. We have also made recommendations that require private or public funds recognizing that the vital needs of those who spoke to us do not go away merely because there is less money. In tight fiscal times, resources must be allocated especially carefully, and we would be remiss not to accurately portray the real needs of Massachusetts citizens and families for whom the lack of economic stability has especially dire implications. We must challenge everyone to contribute in whatever way they can.

This report recommends effective programs and policy initiatives. It is intended as a blue print for action: both immediately and for the years to come.

Our goal is to help program providers, state agencies, businesses, funders, legislators, and activists respond in meaningful and practical ways to ensure that no one in the Commonwealth is forced to live in a violent home because of financial dependence.

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Employment and Workplace: The Single Most Significant Source of Income

“My husband was the income earner of our household. With him my earning capacity deteriorated. He interfered with my job hunting. He kept me up late on nights before I had a job assignment or interview to go to by raging into tirades over small things. Distressed, I could not sleep even after he stopped. I canceled interviews. I became ashamed my energy and enthusiasm could not be relied upon.... I was undermined in my efforts to be the other income earner.”

Cynthia, Survivor, Lawrence Hearing

“I have been able to change my name and social security number...In October 2000, when everything became final as it relates to my identity, I sat down with human resources, explained to them the changes that needed to be made and why. Two weeks later, I was terminated due to their belief that I was a safety issue. It was the last devastating blow I could take. . . . Since then I have applied to several positions, but being that now I have no past, I have no prior work experience. I have no references.”

Marian, Survivor, Plymouth Hearing

An independent source of income is the single most significant indicator that a woman will be able to permanently leave an abuser.

Finding, keeping and succeeding in a job are keys to financial independence for most people. For victims of domestic violence, gainful employment and economic independence take on another dimension, namely a victim's ability to permanently escape her/his abuser.

At our hearings in Massachusetts sixty percent of those testifying cited job loss, including being suspended and fired, as a direct or indirect result of domestic violence.

Employment was a source of economic empowerment, personal and professional growth, independence, self-confidence and enrichment, and pride for themselves, their children and families.

At the same time, we heard about how domestic violence impeded victims' performance or job advancement, compromised safety for themselves and their co-workers, caused them to miss work, be late, or leave work early to care for themselves or their children. We learned that abusers:

- stalk, harass and sabotage their partners at work,
- sabotage their partner's performance, potential and reputation,
- steal and forge signatures on paychecks, and
- strip victims of their bank accounts, credit and sometimes their identities.

We also learned that survivors of domestic violence not only face immediate concerns but also a host of on-going physical, mental health, legal, financial, custody, court or citizenship issues or performance issues. Sensitivity and support or, conversely, lack of understanding from employers can make a world of difference when an employee assesses choices and safety plans.

- [Each year, domestic violence costs businesses \$3 billion to \$5 billion in diminished productivity and increased healthcare costs, absenteeism and employee turnover. (*Bureau of National Affairs, "Violence and Stress: The Work/Family Connection," 1990.*)

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- [Murder is the leading cause of death in the workplace for women. In approximately 13,000 incidents of on-the-job violence committed against women per year, the attackers are current or former husbands or male partners (*U.S. Department of Justice, 1994*); domestic violence is the fastest growing motive for workplace homicide (*Centers for Disease Control, 1993*). Approximately 20 percent of women killed in the workplace were murdered by current or former boyfriends or male partners. (*Bureau of Labor Statistics, 1995*.)
- [In a survey involving 248 corporate security and safety directors in 27 states, 94 percent rated domestic violence as a “high” security problem. More than 90 percent were aware of at least three cases of men stalking women. (*National Safe Workplace Institute*.)
- [74 percent of employed battered women reported being harassed by their husbands or partners in the workplace either in person or over the telephone [today, E-mail, voice mail and fax provide additional means of access.] (*New York Victim Service Agency*.)
- [96 percent of employees who were victims of domestic violence reported some type of workplace problem as a direct result of their abuse: more than 60 percent were reprimanded for diminished performance; and 30 percent were fired (*Connie Stanley, Domestic Violence: An Occupational Impact Study, Tulsa, Oklahoma, 1992*; *Melanie Shepard and Ellen Pence, The Effect of Battering on the Employment Status of Women, Affilia, 1988*.)

Recommendations

What employers can do:

- 1** Make a commitment to develop and implement a meaningful comprehensive workplace response to domestic violence.
- 2** Form an internal domestic violence response team that includes staff from human resources, operations, security, legal, union, Employee Assistance Program (EAP), and upper management. Partner with staff from local domestic violence programs to inform and review company policies and practices, and to facilitate effective referrals.
- 3** Train managers to:
 - | Identify and implement early prevention and response strategies for victims (see Recommendation 6 below)
 - | Provide confidential means for victims to come forward for help, resources, and referrals; and ensure that the EAP staff is trained to respond appropriately to a domestic violence call. In a smaller company, or one with no EAP program, designate a trained ‘ombudsperson’ with an open door policy in order to provide a supportive environment.
 - | Develop a workplace safety plan partnering with the employee, security, human resources, law enforcement, and a domestic violence shelter.
- 4** Inform and train management staff and employees about domestic violence, employee rights and options, and available resources for support within and outside of the company.
- 5** Join coalitions, such as Employers Against Domestic Violence, which encourage employers to recognize the complexities of and dynamics of domestic violence and how it impacts the workplace; to learn about their legal responsibilities; and to provide expert and comprehensive training for managers, security, human resources, EAP staff and the Unions to ensure an appropriate non-punitive response and compliance with applicable laws.

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- I Provide information to all employees about their rights under applicable laws such as unemployment insurance, FMLA, SNLA, and the right to take time off work to testify in a criminal trial; available resources if they feel they have been discriminated against such as the Massachusetts Commission Against Discrimination and the National Consumer Law Center; and the availability of community-based domestic violence services

6 Employers can implement policies and practices that demonstrate a corporate commitment to helping survivors maintain safety and economic stability:

- I Approve, implement and publicize a comprehensive domestic violence policy. Employers with model policies in place that can be reviewed are the Commonwealth of Massachusetts and Mintz, Levin, Ferris, Glovsky, and Popeo (available online at www.mintz.com).
- I Review managers' training and personnel policies that result in progressive discipline due to tardiness and absenteeism to ensure that these are not applied adversely to individuals dealing with domestic violence. Before disciplinary action is taken, screen to assure that domestic violence is not interfering with employees' performance.
- I Develop response strategies that offer concrete support for employees dealing with domestic violence.
- I Make work safer by offering to screen phone calls, change an employee's office location or schedule, provide escorts, special parking permits, and emergency backup childcare.
- I Arrange flexible work hours or compensatory time so that the employee can handle medical issues, legal matters, court appearances, housing, child care, and relocation.
- I Offer paid or unpaid leave options, including the Family Medical Leave Act which allows for use in absences including those as short as a couple of hours.

7 Recognize the immediacy of emergency or transitional situations by taking steps to:

- I Provide a pay advance, short-term loan, or vacation or sick time payout.

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- | Add the victim and children to the company's health insurance plan; continue health coverage while on leave; waive or defer co-pay.
- | Provide the company's pro bono services or in-kind resources, e.g., legal counsel, emergency child care, assistance with moving, transportation, company apartments/ lodging, travel, and financial planning to employees facing domestic violence.
- | Provide education, job training, and mentors for higher wage potential to survivors returning to the workplace.

8

Employers can provide critical help by becoming involved beyond their individual workplaces.

- | Take a public stand and work for change by encouraging colleagues, fellow employers and community leaders to become involved in domestic violence prevention and intervention. Companies can partner with governors, mayors, and chambers of commerce to host training conferences on domestic violence.
- | Partner with your local community-based domestic violence program to support mentoring and children's programs; help with fund-raising campaigns or offer donations of cash, furniture, and office equipment.
- | Actively support domestic violence survivor friendly legislation, such as anti-discrimination laws, tax breaks for employers that assist victims, and a provision in the Family Medical Leave Act (FMLA) to allow paid leave. Last year survivors, advocates, and business leaders worked together to strengthen Massachusetts unemployment insurance legislation to provide better protection for victims who lose their jobs due to domestic violence.
- | California, Colorado and Maine have laws allowing victims of domestic violence to take leaves of absence from their jobs.
- | Lend a lobbyist to help press for legislation and budget appropriations, or sponsor a media campaign to raise awareness and help stop domestic violence.

Emergency Cash, Finances & Credit: A Quick Response to Prevent Downward Spiral

“I only wanted some help getting an apartment because me and my children are about to be homeless. I work full-time. I like to work. I was not looking to be supported. I just needed a little help in my time of need.”

Heather, Survivor, Plymouth Hearing

“I had always worked hard to maintain a good credit standing. And he wrecked it all! Not only was I abused physically, but financially. I worked very hard to get my credit back to where it was. But I find it frustrating when I hear again and again they can’t offer me anything due to the lack of a second income. I know I could take care of a house myself, and create a necessary budget to afford one, if only I could just get past the red tape.”

Kristin, Survivor, Plymouth Hearing

Because batterers use financial abuse as a way to perpetuate domestic violence, one-time infusion of funds can help survivors obtain safety and minimize the extent to which their crises escalate.

Twenty percent of those testifying described immediate short-term financial crises with spiraling effects that could have been averted by access to a limited amount of cash.

A one-time infusion of funds may help maintain victims' employment and avoid their entry into shelter or it may help them move more quickly into the stability of permanent housing.

Financial abuse as a form of domestic violence occurs when batterers prevent their victims from working or having any income. When those victims consider leaving, they are often forced to choose between protecting themselves and their children from abuse and keeping a roof over their heads. When a batterer controls all family financial resources including bank accounts, paychecks, investments, and assets held jointly or solely in the victim's name, he/she inflict more than economic dependency. That results in circumstances that can leave victims homeless, unemployed and debt-ridden for years, long after flight from the abuser.

Every person who testified at the hearings had first hand experience with the financial impacts of domestic violence. Survivors talked about fleeing into shelter with only the clothes on their backs, relinquishing their homes, vehicles and all their possessions. Those losses often resulted in loss of employment and employability. Financial necessity is one of the primary reasons victims remain in, and return to, abusive relationships.

Testifiers told of spouses who bounced checks, accumulated debt and then declared bankruptcy, leaving them with ruined credit and the responsibility to repay debts.

Some survivors managed to remove the batterer from their homes only to find that bills were not paid, the house was over-mortgaged and the utilities were shut off. Even children's social security numbers were used to obtain loans, resulting in an 18-year old child-survivor with bad credit.

Sometimes it is only after victims leave that they find out that their batterers have closed bank accounts or borrowed against jointly-owned property. What is a survivor of domestic violence to do when courts compel her to obtain 'permission' from her abuser to sell the house? Some survivors must relocate and change their identities to find safety. In those cases, the name change results in loss of credit, housing and employment history.

Recommendations

What public, private, and non-profit entities can do:

- 1** Establish and make available flexible bridge funds to enable survivors in transition to maintain employment, avoid homelessness and stay off public assistance.
 - I Between July 2001 and June 2002 the state-funded Expanded Transition to Independent Living (XTIL) program distributed \$550,000 to 439 families. The funds were used to assist with obtaining or maintaining permanent housing - for rent, deposits, utility payments, furnishings, moving, storage, and lock changes. Year-end reports by community agencies administering the funds attest to significant benefits of this program for their clients. Providers and the referring agencies that access XTIL funds are unanimous in calling for program expansion.
 - I Emergency bridge funds could be established and funded by companies for their employees as well as with public dollars.

- 2** Help survivors save and build wealth through innovative programs such as Individual Development Accounts.
 - I Individual Development Account programs (IDAs) are usually run by nonprofit community-based organizations working with local banks and foundations. Program participants deposit savings and attend financial literacy classes, and financial institution partners provide a cash match on their savings. The accumulated money can be accessed for purposes such as college tuition or a down payment on a home. There are many examples of successful IDAs in Massachusetts and across the country.

What banking and lending professionals can do:

Learn from survivors and domestic violence service providers about financial abuse, and develop strategies that will help victims protect assets, and repair credit damaged by batterers. Specifically:

- | Provide written materials that educate all account holders about confidentiality rights, protecting assets and credit rating.
- | Implement strong policies to better protect accounts held jointly or in a spouse's name against interference such as withdrawal, closure, or use as collateral.
- | Adopt emergency procedures that would allow joint account-holders to be notified of suspicious activity and allow domestic abuse victims to freeze assets.
- | Develop programs that help victims open bank accounts and repair damaged credit.

Child Support: A Means to Economic Stability

“Where else can you find a bargain like that? Two children at \$16.25 per week!! . . .I file for support, he files for custody. It is a pattern and a very destructive cycle for children. In addition, as hard and as much as I work my children have gone without because he is not responsible and is not being held accountable. Non-custodial parents need to be held accountable to pay child support every week. Children need to eat every week. They need clothes, shoes, lights, heat, and a roof over their heads.”

Karen, Survivor, Plymouth Hearing

“I feel I am unable to collect child support because I am afraid that he will come after me and my baby and hurt us. No money in the world is more important than me and my son’s life.”

Candace, Survivor, Lawrence Hearing

It is critical for economic stability that custodial parents who are able to do so safely, receive adequate child support consistently and without fear of retaliation.

One out of three of those testifying cited child support as one of the ways for victims of domestic violence to get the money needed to find safety and reach economic stability.

Some survivors testified about their abusers' moving on to new families, sometimes with lavish lifestyles, and their continuing refusal to pay child support without being held accountable. In order for child support to benefit victims of domestic violence and their families, victims must first carefully balance their safety concerns with the financial needs of their children and determine whether it is safe to pursue support. One of the biggest obstacles to obtaining child support is the fear of further abuse and retaliation.

Those who testified explained that abusers threaten or attempt to harm victims who pursue support. They intimidate victims by abusing the legal process, such as by filing frivolous custody petitions, seeking counter-restraining orders, and filing civil abuse of process lawsuits against victims alleging damages caused by restraining orders.

Batterers intimidate victims by threatening them with loss of their children through kidnaping or fabricated reports of abuse and neglect. In addition, batterers threaten victims with deportation and criminal arrest.

As a result, some victims choose not to seek child support as part of their safety planning.

Victims who do choose to seek child support are often ineligible or turned away for free legal assistance because of overburdened, under-resourced legal services programs and pro bono legal assistance systems. In Massachusetts, victims of domestic violence can receive help with getting child support safely through comprehensive services from the Department of Revenue's Child Support Enforcement Division (CSE). Domestic violence specialists and trained staff at the CSE help victims collect child support safely.¹

Enforcing child support orders may be difficult. Abusive non-custodial parents are more

¹

It is important to recognize that victims who need to remain away from probate court for safety reasons or to avoid retaliatory custody/visitation actions should consider that when a child support order is obtained in district court as part of restraining order, CSE becomes involved and as a matter of CSE policy, the case will automatically be transferred to probate court to pursue a permanent child support order.

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likely to react violently when their money is involuntarily seized. Contempt actions in court also put the abusive noncustodial parent at risk of arrest or incarceration for failing to comply with the court's orders, thereby increasing the risk to the victim of retaliatory actions. Sadly, victims must sometimes choose between their safety and requesting the fullest enforcement assistance from the court or CSE.

In addition to abusive noncustodial parents' threats, victims who seek to enforce their support orders have to endure other obstacles in the process. Victims must face their abusers in court and are often unsure how to present evidence about abusers' income and employment status. Batterers, on the other hand, frequently know how to "play the game" and find ways of avoiding their support responsibilities, including evading contempt findings by making payments just before a court hearing, quitting a job, and working under the table when a wage withholding order is implemented.

The testimony at the public hearings from both victims and advocates clearly demonstrates that victims of domestic violence want and need child support. The testimony also reveals that without adequate assistance, many victims are unable to obtain that child support. The fact that over thirty percent of those who testified reported child support issues documents the imperative that the legal system, state agencies and domestic violence advocates collaborate to get victims and their children the child support they are entitled to and need.

Recommendations

What the courts can do:

- 1** Prioritize child support cases for hearings where there is domestic violence.
- 2** Issue sanctions when batterers do not pay child support.
- 3** Assign probation officers or independent agencies in district and probate court to review financial statements in child support and alimony cases to verify the parties' income and assets.
- 4** Apply and enforce the Massachusetts Child Support Guidelines in all child support cases.

What the Child Support Enforcement can do:

- 1** Make every effort to establish child support orders and recognize the importance of bringing complaints for modification and contempt for nonpayment promptly in cases where there is domestic violence and it is safe to proceed.
- 2** Train people who work with victims of domestic violence to understand the child support system and to do a child support safety assessment, so they can address child support issues in victim's safety plans.
- 3** Process cases and get permanent child support orders in probate court as quickly as possible (providing it is safe to do so) when child support is ordered as part of a restraining order.

What the courts, and domestic violence advocates in community and state programs and Child Support Enforcement (CSE) can do working together:

- 1** Prioritize collecting child support safely and holding batterers accountable.
- 2** Create an effective, safe system so victims will get child support on restraining orders (M.G.L.c.209A) by establishing a collaboration between CSE, the courts and domestic violence advocates at community and state agencies.
 - I Community domestic violence advocates and state agencies can be liaisons with courts and child support agencies to assist victims in safely obtaining child support.
 - I Ensure that the courts order child support on restraining orders.
 - I Ensure that the necessary court and CSE forms are available at the district courts.
 - I Ensure that domestic violence advocates at community and state agencies do outreach and assist victims with applying for child support, making sure victims know they can get child support and a wage assignment as part of M.G.L.c.209A restraining orders.
 - I Ensure that judges, probation officers and court personnel receive training and are held responsible for working with the child support agency to ensure that child support is ordered and enforced on restraining orders.
- 3** Expand and replicate creative programs and successful models for child support collection to insure that victims' needs are met.
 - I CSE Domestic Violence Project²:
 - The Massachusetts Department of Revenue's Child Support

² From 1997 through 2001, Department of Revenue and the Department of Transitional Assistance worked collaboratively to identify the incidence of domestic violence in the welfare and child support caseloads through a demonstration grant from the Federal Office of Child Support Enforcement. Welfare applicants and recipients were interviewed and data was collected. Domestic violence specialists were placed in the welfare and child support agencies. Although the demonstration grant has ended, the collaboration between DTA and DOR on issues relating to domestic violence continues.

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Enforcement Division provides education and outreach about child support safety options available to victims of domestic violence, training and individual case consultations to agency staff, and makes agency policy, procedure and systems recommendations for processing cases and collecting child support safely.

- CSE has an at-risk team in its customer service bureau and domestic violence liaisons in each of its regional offices across the state.
- CSE has developed a brochure, “Child Support and Your Safety: A Guide to Child Support Services for Victims of Domestic Violence.”
- Increased agency attention to safety issues has enabled CSE to obtain child support for many victims of domestic violence and to take appropriate steps when enforcement efforts could put a family at risk.
- Efforts can be made to ensure that victims have access to an adequate number of child support domestic violence specialists and liaisons across the state.
- CSE can continue its efforts to promote understanding of domestic violence within responsible fatherhood programs and to support parenting programs for batterers.
- For more information about the CSE Domestic Violence Project contact Marilynn Sager, Senior Counsel at 617-626-4164. For more information about child support services, contact CSE Customer Service at 1-800-332-2733.

I Legal Services Child Support Advocates:

- Greater Boston Legal Services and Western Massachusetts Legal Services each devote attorney resources specifically to child support issues.
- In many cases, this legal assistance has helped victims obtain the financial support necessary to escape poverty, find safety or to go off welfare.
- Legal services advocates are a resource for other victim support advocates to provide legal counsel and advice, training, and other support to non-lawyer advocates.
- Legal service advocates could also partner with law school clinic programs to provide supervision to law students who can provide in-court, walk-in assistance to victims.
- Private foundations and corporate giving programs can invest in supplementing community-based child support advocates to ensure that victims have access to an adequate number of specialists across the state.
- For more information contact: Family Law Unit, Greater Boston Legal Services (617)371-1234, x1803.

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- 4** Provide public testimony and written comments on the child support guidelines when they are reviewed every four years.³

What employers can do:

- 1** Employers can allow victims time off with pay to go to court for child support proceedings.
- 2** Employers should not penalize victims for taking time off to pursue child support.
- 3** Employers can comply with court ordered income assignments for child support due from their employees and remit the monies deducted promptly.

³ In 2001, the Economic Stability Working Group provided comments to the most recent Guidelines review. The next review will occur in 2005.

Welfare: Still a Critical Safety Net

“Many women are prevented from leaving a domestic abuser because they don’t have the financial means to support their families’ safe departure and living expenses independent of their abusive spouse. I am disappointed my expectations for the length of my recovery were not so well projected early on in my transition from an abuse situation into a new life of my own. . . . The financial and other resources provided to me during this time have truly made the difference between my life and possible maiming or death and [between] healing or permanent decline in my emotional, mental, and physical health.”

Cynthia, Survivor, Lawrence Hearing

“I obviously had to apply for welfare because I had no other choice. . . . I think that women who are victims of domestic violence should be given the opportunity to get education and training and that it should be a requirement once they get into the welfare system that they get assessed and get an education because this is the key to becoming independent.”

Fior, Survivor, Plymouth Hearing

“The problem is that I make \$8.25 an hour and it barely covers the bills. The [DTA] Domestic Violence Specialist suggested that I apply for assistance, but I was turned down because I make too much money. . . . Some people have no choice but to leave work and go on welfare. Why should that be?”

-Heather, Survivor, Plymouth Hearing

To escape and remain free from abuse, families need a range of public benefits to provide for their financial support and to promote their ability to attain economic stability.

Whether or not survivors will be able to support their families upon leaving a batterer is a major factor in deciding whether to leave. The experience of domestic violence, fleeing, or needing to stabilize in the aftermath of trauma, forces many survivors to seek financial assistance.

Over a quarter of those who testified mentioned their need for welfare benefits.

Survivors and advocates detailed multiple paths which led families through domestic violence to TAFDC, Food Stamps, and other benefits. As one shelter staff person noted, of every ten people who come to stay at her shelter, nine must apply for welfare.

Studies document the extensive and numerous ways abusers find to interfere with work, leading to job loss and the need for a safety net of public benefits.

[In one study, 42% of welfare recipients reported being harassed at work by their partner, and 36% had to stay home from work because of domestic violence. (Tolman, R. and Raphael, J., *A Review of the Research on Welfare and Domestic Violence*, (2000) available online at www.ssw.umich.edu/trapped, citing Barusch, A. et al. *Understanding families with multiple barriers to self-sufficiency*, in press, Salt Lake City: University of Utah, Social Research Institute (1999).

[As the 1997 study commissioned by the Governor's Commission on Domestic Violence, *Safely Towards Self-Sufficiency: Battered Women's Path through Welfare Reform*, documented, 65% of TAFDC recipients have experienced domestic violence during their lifetime with 20% being victimized in the prior 12 months, using the definition of abuse in the Abuse Prevention Act M.G.L. c. 209A.

Survivors described their struggles to access benefits: being considered over-income when they still struggled to buy basic groceries and front line staff who lacked the domestic violence expertise or time to inform them of all the programs which might serve their needs.

Survivors described how their problems were aggravated when a welfare worker was not sensitive to issues of domestic violence, did not inform them about helpful DTA policies, or where policies were applied narrowly.

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Often, survivors did not receive the benefit of an existing DTA policy because they had not been screened to determine whether a policy was applicable, and some lost their benefits as a result. For example, some people lost benefits for being unable to perform the work requirement without knowing they could have asked to have that rule waived due to domestic violence. They struggled to meet various requirements of all the agencies with which they were involved, while also meeting their families' material and emotional needs.

Families dealing with domestic violence who are unable to work must be able to rely on welfare benefits in order to remain free from abuse. Once more stable, survivors need welfare program rules, including policies with respect to the work requirement, which encourage them to take appropriate steps towards economic stability that previously were impossible in the chaos of the abuse and flight.

The time limit recommendations (concerning stopping the TAFDC time clock) which follow are important for survivors of domestic violence for the following reasons:

- Since domestic violence survivors are a population who often find themselves in crises for reasons beyond their control, it is unwise to require them to use up all their time before they can ask for a waiver of the time limit due to domestic violence.
- It is inequitable to encourage other recipients to bank their time when survivors are prevented from doing so.
- For some survivors, the anxiety and fear which results from not knowing whether they will continue to receive benefits beyond their 24 months exacerbates their Posttraumatic Stress Disorder symptoms
- TAFDC recipients are encouraged to plan their time on assistance, but survivors are impeded from doing so if waiver requests of the time limit due to domestic violence are not considered until their 22nd month.

Many survivors who are not citizens lost all benefits when the legislature defunded the state programs which paid for cash assistance and food stamps for lawfully present immigrants. This problem is of particular concern given that the statewide hearings held in 1997 by the Subcommittee on Immigrants and Refugees of the Governor's Commission on Domestic Violence documented the importance of these benefits, compounded by increased isolation of immigrants, batterer control through threats of deportation, and high levels of lethality. Similarly, survivors whose first language is other than English were likely to face additional hurdles to economic stability and safety.

Recommendations

What the Department of Transitional Assistance can do:

- 1** Adapt existing programs to increase survivors' ability to attain freedom from domestic violence and economic abuse.
 - I To meet the need of survivors to be able to plan their future, and avoid unnecessary stress, allow domestic violence waivers of the time limit at any time.
 - I To promote a survivor's ability to support her/his family, allow receipt of TAFDC beyond 24 months where necessary to allow participation in or completion of an education and training program without requiring additional work-related activities, whether through a domestic violence waiver or an extension of time-limited benefits.
 - I Authorize DTA-funded child care as necessary to allow survivors to undertake activities preparatory to work, vocational, and educational activities as outlined in the section on Child Care.
- 2** Convene an advisory board consisting of DTA, community-based and domestic violence service providers and state agencies to review welfare policies and practices and make recommendations that promote safety and help families remain free from abuse. Possible areas of evaluation include:
 - I Expansion of the Family Violence Option within the TAFDC program.
 - I Application of provisions similar to the Family Violence Option (i.e. waivers) to other DTA programs.
 - I Explore the possibility of waiving Food Stamp rules.
 - I Develop flexible income and asset rules for survivors who need assistance to flee.
 - I Waive counting vehicles as assets in cash assistance programs as is done in the Food Stamps program.

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- 3** Complete in-depth professional assessments of all recipients within the first six months of their receipt of benefits to identify barriers to economic stability, including the presence and consequences of domestic violence.
- 4** Develop a brochure that references all available benefits which could assist survivors of domestic violence, including survivors who do not have children.

What the legislature can do:

Prevent danger to families by stabilizing the safety net which has helped countless families escape but which has eroded dangerously in recent months.

- | Full restoration of funding for cash assistance and food stamps for lawfully present immigrants through the STAFDC and State Food Stamps programs.
- | Count participation in education and training programs fully towards the work requirement.
- | Provide adequate funding to ensure that every applicant or recipient has access to a DTA Domestic Violence Specialist to be assisted by staff who understand the complex dynamics of domestic violence in order to be informed of the full range of services and policies available to survivors.

Community-Based Domestic Violence Services Providers: Fostering Safety and Economic Stability

“Abused women need an advocate to guide them through every step until she is able to control her own life, because being abused does a lot of mental damage and women need someone to listen to their feelings and fears and help them learn how to take control and budget and finance. . . . It makes a big difference with someone’s help.”

Deanna, Survivor, Plymouth Hearing

“Without that assistance for childcare and without shelter and the counseling that I received, I probably would still be on the street with my two kids and no place to live, whereas today I have a full time job, I live in an apartment with my two kids, and I don’t depend on any abuser or the welfare system.”

Susan, Survivor, Plymouth Hearing

Safe, accessible community-based services that help victims utilize a network of support are critical to ending abuse.

Sixty-three percent of survivors testified to the key importance of community-based services in their ability to end violence in their lives.

Testifiers described the support they have received and cited obstacles they encountered, mostly due to accessibility issues, service limitations and program rules. Independent nonprofit domestic violence organizations across the state offer a variety of services including shelter, transitional housing, one-on-one and group support, economic planning, referrals, legal advocacy, and peer support. Advocates are often domestic violence survivors themselves who are experienced at helping others navigate a complex array of resources and social services. The education, nonjudgmental counseling, support for children, and links with other resources that survivors receive at community-based domestic violence agencies give them the safety to find options that allow them to move toward physical, emotional, and economic stability. Yet despite the fact that over 35,000 restraining orders are issued annually in Massachusetts, there are there just 475 state-funded emergency shelter beds.

While battered women's programs sheltered 2270 women and children last year, 7802 victims who called hotlines for help last year were not housed due to lack of shelter space.

Programs, which operate on shoestring budgets, struggle to sustain adequate staffing levels, while dedicated workers forego salaries and benefits commensurate with their professional skills and job demands. Numerous survivors and advocates for the abused and their children testified at all four hearings about the value of, and need for, expanded availability and access to domestic violence services. We also heard about the need for increased services appropriate for male victims, hearing and visually impaired victims, and non-English-speakers.

Since so many domestic violence victims require anonymity and confidentiality to escape abuse, service providers walk a fine line as they employ policies aimed at maximizing both security and freedom for the families they shelter. The testimony encourages programs to adopt policies that will allow shelter residents to retain their employment whenever possible. Shelter programs and employers can work collaboratively to implement strategies such as

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work place safety planning, short-term leaves of absence and job transfers.

Many who experience domestic abuse will never access residential shelters for a variety of reasons, including social tolerance for violence against women and taboos about divorce, financial necessity, fear of being ostracized from a cultural group, and desire to raise children in a two-parent home. Therefore effective domestic violence agencies increasingly offer individual and group support, programs for children and other services that enable survivors to stabilize and utilize community resources whether or not they make a decision to leave.

Over the past several years, domestic violence services providers have begun to respond to the increasingly recognized need for programs that address economic obstacles for victims and survivors.

Model programs that teach economic and financial literacy, goal planning and that facilitate access to employment and educational resources can be sustained and replicated across the state. Survivors told us that shelter-based programs that provide transportation and childcare have been invaluable in helping them return to work. We recognize that domestic violence agencies will not and should not become job training providers, but domestic violence service organizations are uniquely suited to offer economic literacy and holistic support for complex issues that affect family stability and survivors' ability to focus on work. The strength of those programs reflects recognition that survivors must achieve economic stability to permanently end the abuse against them..

Survivors testified that they received help with emergency shelter, individualized referrals and assistance in negotiating systems for income support, housing search, legal representation and immigration issues, support groups, counseling, child care, parenting support and therapeutic services for children as well as difficulties they encountered, including inadequate availability of shelter and transitional housing, and difficulty accessing shelter and other comprehensive community-based services for non-English speaking, disabled and gay male victims.

Survivors identified gaps in economic support, including the need for: information and advocacy to access income supports, shelter programs and policies that support resident employment, financial safety planning, economic literacy and career counseling, education, training and employment opportunities, child care and transportation support, and a better understanding of and response to economic barriers for immigrant and non-English speaking survivors.

Recommendations

What service providers can do:

- 1 Integrate economic assessment and advocacy into all direct services. Because economic concerns are central in the decision-making process for anyone trying to end violence in their lives, it is critical that advocates learn about their clients' economic worries and needs, and develop resources to assist them to achieve economic stability. Steps can include:
 - I Train staff to understand economic abuse and develop economic advocacy skills and resources. Greater Boston Legal Services offers training about the rights of employees affected by domestic violence. HarborCOV offers training in economic advocacy.
 - I HarborCOV in Chelsea uses an economic assessment tool to help identify economic issues and goals. They have also produced *Taking Control: A Guide to Massachusetts' Resources for Economic Stability*, a booklet given to all the women, even if they only see them one time.
 - I Work with domestic violence specialists at DTA and DOR Child Support Enforcement to access resources for survivors and to reach others who may need your help.
- 2 Reassess and update program policies to ensure they do not interfere with economic advancement.
 - I Discontinue policies that prohibit shelter residents from maintaining or seeking employment, except in cases in which working would increase danger.
 - I Work with survivors and their employers to implement workplace safety plans.
 - I Consider survivors' training and work schedules when planning support groups and other mandatory programming.

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- | Use assessments to collect data and inform program responses to survivor economic needs.

3

Provide access to cash.

- | In 2000 seven community-based domestic violence agencies distributed \$550,000 in 'flexible funds' to 439 families in crisis through the XTIL program. The funds were used to pay for items such as rent, lock changes, moving expenses, transportation, and temporary childcare. This program can be expanded.
- | Grants and scholarships - The Sunshine Lady and Rose Fund support survivors' access higher education through grants and scholarships. They can provide help with childcare and transportation in addition to tuition. Create and leverage combined resources through partnerships.

4

Implement shelter-based economic development programs based on successful models such as:

- | The Personal Economic Planning (PEP) includes economic literacy, access to job opportunities and employment support. More than 1000 women have benefitted at the Elizabeth Stone House, HarborCOV and at replicated PEP programs across the Commonwealth.
- | Women's Business Opportunity (WBOP) micro enterprise program at the Elizabeth Stone House helps women start businesses.
- | Mentoring programs match professionals with those re-entering the workforce. These are great opportunities for former program participants and volunteers to give back.
- | Project Northstar is a collaboration between the International Rescue Committee and HarborCOV to provide ESL with job training, advocacy and childcare to refugees.
- | Individual Development Account programs (IDAs) are usually run by

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nonprofit community-based organizations working with local banks and foundations. Program participants deposit savings and attend financial literacy classes, and financial institution partners provide a cash match to their savings. The accumulated money can be accessed for purposes such as college tuition or a down payment on a home. There are many examples of successful IDAs in Massachusetts and across the country.

What public and private entities can do:

- 1** Increase and sustain adequate funding to expand access and ensure high quality, culturally competent community-based domestic violence services across the state.
- 2** Support and expand the availability of transitional housing programs through which participants can access longer-term supportive services including economic stability, career development, and permanent stable housing.
- 3** Develop and expand specialized domestic violence units such as those at the DTA, DOR, DSS that provide in-house expertise and institutionalize sensitive and appropriate responses. Other places where supplemental domestic violence services may be helpful include housing agencies and unions.
- 4** Adopt and promote the use of the Self-Sufficiency Standard as a measure to help individuals, programs, state agencies, and employers set policies that promote economic stability for all families in the Commonwealth.

Housing:

A safe and supportive continuum promotes lasting stability

“When I looked for Section 8 housing, I had to go out to locations and take a day off to stay in a line with hundreds of people applying to live in an apartment. I had to miss several of the opportunities to find housing because I had my son with me as he was sent home from school.”

Goele, Survivor, Boston Hearing

“It took me over five years to get a roof over my head without a partner.... [I]t’s a Catch-22 because without a permanent address, they [survivors] often cannot get any training, any jobs, any education, so it’s a spiraling effect and usually downward.”

Manet, Survivor, Lawrence Hearing

“I was in an abusive marriage for thirteen years.... I felt trapped, afraid to stay and more afraid to leave for fear of being homeless....”

Jane, Survivor, Lawrence Hearing

“Unfortunately, if you have no money, you’re stuck! If you don’t have first, last and security for rent, you’re on the street with your children. What are your options? Mine was stay with my batterer or go to the street.”

Iris, Survivor, Plymouth Hearing

Domestic violence survivors need a continuum of safe and affordable housing options and the economic means and supportive services to maintain housing stability.

More than two out of every five survivors stated that lack of affordable permanent housing puts domestic violence victims in the position of choosing between homelessness and continued abuse.

Becoming self-sufficient without a stable home is an uphill battle. Imagine completing a job application without being unable to state an address or phone number where you can be easily reached. Imagine preparing for a job interview after spending the night sleeping in a car.

The media frequently report the “housing crisis” that exists in Massachusetts for two-income, middle-class families; imagine being faced with the prospect of finding a home for yourself and your children, with no income, no savings, no credit history, and no time to pack.

Housing for domestic violence survivors in Massachusetts has gone beyond a crisis situation as evidenced by the extensive testimony about the importance of and barriers accessing safe, stable, affordable housing. Approximately 35,000 restraining orders were issued in 2000, but only 475 shelter beds were available for people who flee their homes because of domestic violence. Leaving is often preceded by long periods of isolation, being prevented from getting a job or an education or from maintaining ties with friends and family who could provide a support system. Survivors leave with no money or jobs, and no credit history or a credit history that has been ruined by the abuser.

In addition to limited shelter space, affordable longer-term housing is also in short supply. Higher rents in certain towns force relocation, which is detrimental to children who have to change schools, and to survivors who have to leave jobs, support services and health providers. Besides the cost consideration, some realtors and landlords do not want to deal with Section 8 vouchers, and Section 8 vouchers are worthless if there are no rental units available. In 2000, public housing authorities in New England reported that, on average,

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thirty percent of the Section 8 vouchers they issued had to be turned in, unused. (*Citizens Housing and Planning Association, Section 8 Voucher Study, March, 2001.*)

Given the shortage of affordable housing, families may have to choose between being homeless in an area where they can find work and support services, or living where they can find a landlord who will accept them.

Some survivors reported that they made enough money to pay rent each month, but couldn't save enough for first and last months rent and a security deposit. Or they had overdue utility bills from their previous living situation which prevented them from getting utilities hooked up in new homes. In such cases, programs like Transition to Home and Expanded Transition to Independent Living, funded through DSS, supply one-time cash assistance that helps overcome the final obstacles to stable housing, but the need for these funds always exceeds availability. Other survivors stated that they would like support services even after finding a home, to help keep them stabilized in their new lives.

Preventing survivors and their children from becoming or remaining homeless or from the need for frequent moves is a key factor in their ability to retain support services, employment and educational opportunities. In addition, it is more cost effective for the state to prevent homelessness or move families into stable housing than it is to maintain them in shelters or hotels.

It will also benefit housing providers – regardless of the type of housing they provide – to realize that they are dealing with people affected by domestic violence. If they examine and revise their policies and procedures to take domestic violence into consideration, and learn how to support victims in need of housing, they will have tenants who are safer and more stable for the long run, something from which everyone can benefit.

Recommendations

What housing providers and domestic violence service providers can do:

- 1 Landlords and other housing managers can develop domestic violence protocols and trainings, developed with the assistance of service providers. These would help prevent evictions of victims (because of leasing violations caused by abusers) or the necessity of fleeing; consequently, housing developments and neighborhoods will be safer for all residents. Trainings can highlight the advantages that will be gained by the housing providers (fewer problem tenancies, less turnover, less property damage, reduced legal costs, increased safety for staff as well as for residents, etc.).
 - I At Leyden Woods, a 200-unit housing complex near Greenfield, management follows a comprehensive domestic violence protocol which involves its entire staff. A Resident Services Coordinator gives individualized assistance to each family experiencing difficulties due to domestic violence. Referrals to and cooperation with other agencies and providers is an integral part of the program.
- 2 Shelter and transitional housing providers can collaborate with housing developers to target units to families who have been displaced due to domestic violence.
 - I Domestic violence service providers can assist in cleaning up survivors' credit history, housing history, and CORIs – often damaged as a direct result of actions by batterers -- so that landlords are willing to rent to them. Assessing victims' need for this assistance should be done initially when they are in emergency shelters. Alternatively, landlords should consider domestic violence a mitigating circumstance with regard to housing, credit, and criminal history when assessing applications and possible evictions.
- 3 Domestic violence service providers can help stabilize survivors in their new home by following up with them after have left transitional housing or shelter and moved into permanent housing.

What Public Housing Authorities can do:

- 1** All housing authorities in Massachusetts can prioritize domestic violence victims on their federal waiting lists, which can be accomplished through their annual plans to HUD.
- 2** Public housing staff can receive training in domestic violence issues to help prevent evictions and increase safety. This can be accomplished through collaborations with existing domestic violence programs and/or with specialists in various state agencies such as DSS and DTA.
- 3** Housing authorities can cooperate in facilitating domestic violence emergency transfers between different housing authorities, not just between developments within the same city and can also collaborate with shelters to provide a safe place for victims to stay while waiting for their transfer to be approved.
- 4** Housing authorities and other organizations that administer Section 8 vouchers can develop comprehensive housing search assistance programs for voucher holders, as funds are available.
 - 1** In 2001, \$10 million in HUD funds were made available to housing authorities partnering with nonprofit organizations, for the Housing Search Assistance Program. This program is designed to assist eligible families with information about housing options -- particularly in areas with greater job opportunities -- as well as providing supportive services that will enable families to remain housed.
- 5** As a standard practice, housing authorities could develop relationships and collaborate regularly with domestic violence service providers to improve safety for all residents.
 - 1** HarborCOV presented numerous ideas to the Chelsea Housing Authority to help domestic violence victims, and many of the recommendations were incorporated into the Housing Authority's annual plan.

What public and private funders can do:

- 1** Increase funds for existing programs with proven success records, which help survivors with housing, employment, and remaining free from abuse.
 - I Emergency Assistance Rental Arrears provided assistance to low-income families to prevent eviction from permanent housing, thereby protecting families and saving the state the higher expense of paying for shelter beds for the same families. This program was completely defunded in FY03 but could be restored.
 - I Residential Transition to Independent Living provides comprehensive services for battered women and their children who are coming out of shelters. These services include housing for up to 18 months, educational and/or vocational services, and housing advocacy.
 - I Expanded Transition to Independent Living provides relocation support services and one-time cash assistance and helps survivors overcome financial barriers to finding permanent housing.
- 2** Reauthorize funding to support and expand the success of the Affordable Housing Trust Fund, which in FY01 leveraged funds from various private and governmental sources to develop 615 units of affordable housing throughout Massachusetts.
- 3** Develop innovative programs to encourage employers to help employees secure housing near their jobs.
 - I The “Employer-Assisted Housing Initiative” is a new program in which employers will help their employees buy homes and locate affordable housing. This program, created by the Greater Boston Chamber of Commerce, is funded in part through a grant from FannieMae, with additional funding provided by

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Citizens Bank, Eastern Bank, and FleetBoston Financial. Assistance may take the form of housing search, counseling prospective home buyers, providing down payment assistance, or paying security deposits and first/last months' rent.

4 Housing providers, advocates and local domestic violence agencies can collaborate in public planning processes to access funding and increase the supply of affordable housing.

Child Care: Helping Parents Support Children

“For myself, the lack of child support and affordable child care were the biggest barriers to my becoming self-sufficient. When I chose to leave my abuser, I worked full-time. . . .He figured if he didn’t pay, I’d have to return to him and the abuse. So I called DTA and explained my situation. They told me I’d have to quit my job and go on welfare. I didn’t want or need their cash grant, food stamps, or MassHealth. I just needed help with child care.”

Paula, Survivor, Plymouth Hearing

“I never made that amount in my life and probably no one in my family did, and I am so proud of it. But unfortunately, my day care was \$280 per week and I brought home \$410 per week. I have achieved my childhood goal of not being on assistance yet still we go hungry.”

Lorissa, Survivor, Boston Hearing

“I can’t afford \$250 and if that continues I will lose my job. I don’t want to lose [my children’s child care] because they are going to help me help my children to be creative, productive, and happy.”

Margaret, Survivor, Plymouth Hearing

Inability to access quality, affordable and safe child care traps parents and children in abusive and dangerous situations and prevents them from securing economic stability.

In order to maintain employment, to flee abuse, and to stabilize their family's financial and emotional well-being, survivors need reliable, quality, affordable child care.

Yet more than a quarter of those who testified cited problems with child care.

Parents lost jobs because batterers who promised to care for the children either broke those promises or harmed the children while in their care. Batterers used their role as child care provider to sabotage their partners' efforts to secure independence. Survivors who had developed a network of other family members or friends for child care lost that network when they relocated to flee abuse. Parents who then could not afford to pay for child care after fleeing the abuse also lost their jobs. Survivors who were trying to escape danger who were eligible for child care subsidies faced wait lists too long to be of any assistance while others were slightly over-income for subsidies but still could not make ends meet if faced with private child care costs. Many of these survivors expressed frustration that the lack of child care forced them to apply for financial assistance since they could not work.

Children who do not have child care faced increased risk of abuse if left with their batterers. Yet parents trying to flee abuse who do not have affordable child care face the unacceptable choice of earning the money they need to escape and to establish their family's future safety or risking their children's safety if forced to leave them in the care of the batterer while they worked.

The testimony we heard is consistent with research showing that children living in homes where there is domestic violence are themselves physically abused or neglected at a rate fifteen times that of the national average.

(Women and Violence: Hearings Before the US Senate Judiciary Committee, August 29, 1990 and December 11, 1990. Senate Hearing 101-939. Pt. 2, p. 142; Domestic Violence: The Great American Spectator Sport. Oklahoma Coalition on Domestic Violence and Sexual Assault, p. 3, Quoted in The Children's Paper, The Governor's Commission on Domestic Violence, 1999.)

These data do not factor in the harm children endure as a result of witnessing violence: nightmares, bed-wetting, difficulty relating to peers or teachers, regression, anxiety, and

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depression. Once the family flees, parents need others to care for their children for reasons other than employment. In flight from domestic violence, the main work of the survivor may not be employment but housing search, legal, medical, and counseling appointments and acquiring marketable skills. For children whose families are trying to get back on their feet following trauma, child care can provide a sustaining lifeline, a haven for children as well as a concrete service which allows their parent to go about daunting the business of rebuilding their family's life.

Survivors also spoke about the impact of child care on their children. Losing child care meant losing a source of stability for children. Parents explained that because of the abuse they suffered, children had difficulty getting along with peers and providers and were often sent home from child care, especially if the provider was not attuned to the complexity of the child's needs, thereby disrupting the parent's work activity. In contrast, when children were with child care providers who were responsive to their needs, parents spoke of the growth and healing which followed.

Recommendations

What the Office of Child Care Services can do:

Develop policies which promote access to child care for children whose families are fleeing domestic violence.

- I OCCS can set aside 200 vouchers for survivors of domestic violence who need child care in order to preserve their employment or in order to accept a job offer.
 - OCCS has set aside vouchers for special populations, including children who are homeless, children in the care of their grandparents and children requiring early intervention services. The same policy model could be used for children who are survivors of domestic violence.

What OCCS and community programs can do together:

1 OCCS can expand access to safe affordable child care for children whose families are escaping or healing from domestic violence. Steps could include:

- I Contracting with shelters to provide on-site child care for shelter and community residents who need child care in order to stabilize their family. This child care could be available when parents need to attend appointments, for example.

2 OCCS, shelters, and local child care providers can partner to provide child care slots for shelter and community residents who need child care on a short term basis. These authorizations could roll over if a shelter resident or program participant gets a job or starts education and training. Such contracts could be either program based or in a partnership with other community child care providers.

3 OCCS and domestic violence service providers can develop and implement cross-trainings.

- I Through Regional Child Care Resource and Referral Agencies, domestic

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violence service providers can receive training in child care eligibility rules to maximize use of existing services, and

- | Child care workers can continue to receive training in identifying the presence of and understanding the dynamics and effects of domestic violence in order to meet domestic violence related child care needs.
 - For example, through the Children Without Homes Initiative, a cross-systems conference is addressing how to work effectively with homeless children, including the effects of domestic violence.

4 A task force consisting of OCCS, community-based child care providers and domestic violence service agencies can develop child care policies and practices which promote child safety and help families escape and remain free from abuse. Possible areas of evaluation include:

- | Eligibility for child care for job search can be extended beyond eight weeks when a worker needs additional time due to domestic violence.
- | Service needs other than employment or work activities can be recognized for survivors of domestic violence who demonstrate a need for child care, including policies which allow people to retain child care subsidies and which allow people to qualify for subsidies when necessary to undertake activities necessary to secure and preserve safety and to attend to their and their children's trauma related needs.
- | In order to keep children safe, authorizations and vouchers can include policies which help maintain child care for people who already have vouchers but who need to stop their work activity or whose activities and needs are changing because of the domestic violence.

What the legislature can do:

Promote access to quality, affordable, safe child care for children whose families are escaping or healing from the effects of domestic violence.

- | Expand and replicate successful child care models including those which enhance access to education and training.
- | Increase funding for vouchers.

Education and Training: The Path Back to Living Wage Employment

“My abuser stopped me from pursuing my education, and the emotional stress was too much to handle as well so I could not go on to my education. Once I was in shelter, it was a hide-out. I could not pursue working or going to school because I was afraid that he would find me. Out of shelter, it was even more difficult. It was hard to balance work, school, being a single parent and resuming my college education and thinking about where I was going to live. It is very hard starting over without anything.”

“Nora” (pseudonym used for safety), Survivor, Lawrence Hearing

“I strongly believe that if I didn’t have an education, I would still be in the abusive relationship today. . . or more likely dead.”

Loretta, Survivor, Boston Hearing

“I think an education is something that you never [lose], that no one is going to take it away from you and it’s something you can rely on all your life. You can become independent if you have an education. It’s like the key . . . of solving a lot of problems”

Fior, Survivor, Plymouth Hearing

Survivors of domestic violence need to be able to participate in education and training programs to be able to escape abusive situations and to secure economic stability so they are less likely to have to turn to their batterer for financial support.

Over one third of those who testified, spoke about the need for education and training programs which they could access.

Survivors explained that whether they have the skill and education level necessary to support themselves and their children can determine whether they remain in or flee an abusive situation. To escape and survive, an individual needs substantive skills for the workplace. Many survivors cannot participate in education and training programs without income supports and other supports such as transportation and child care (see especially Welfare and Child Care sections). Some survivors will also need programs which can accommodate the domestic violence related needs they have, such as the need to attend part-time.

Those who testified explained that batterers routinely interfere with efforts to attend school or training programs in order to keep survivors dependent and controlled. Control takes the form of sabotage by instigating fights before important tests or interviews, destroying homework, clothing, and means of transportation, stealing money, breaking promises to help with child care, and beating their victims so they are too injured and bruised to go to school or training.

The batterer can see each step forward a survivor makes as a threat so that the batterer retaliates.

Once a survivor has fled domestic violence, many other factors, including trauma symptoms and practical considerations, can make it more difficult to participate in education or training programs. Needing to be in hiding, being homeless, moving from shelter to shelter, coping with legal needs, and trying to support themselves and their children financially all pose huge logistical barriers for participation in education and training. Coupled with this aftermath, the physical and emotional consequences which adults and children suffer can interfere both with participation in education and training programs as well as with the learning process itself. Mothers may be called upon to care for children impacted by the abuse and may themselves suffer posttraumatic stress disorder or other health problems which interfere with concentration, memory, and sleep. Yet education and training can serve as the key to higher earnings and career advancement. At the same time, acquiring knowledge, building a future, and succeeding also empowers survivors and helps them rebuild self-esteem.

Specific problems people raised included being torn between providing an income for their children, attending to their children's emotional needs, and taking steps they knew they

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needed regarding education and training to secure long-term economic stability. When attempts to participate in education and training were not successful, survivors were faced with large debt from educational loans and deteriorated self-esteem.

The results of education and training successes were equally compelling. Mothers testified about education serving as their key out of abuse. They described succeeding in school as providing a vital source of self-esteem which they modeled for their children. They also spoke of the generational effects of their ability to go to school resulting in their children's attending college since they saw positive role models.

Recommendations

Community, city, regional, and state providers can collaborate to improve access to appropriate education and training programs which promote economic independence.

What community and state education and training providers can do:

- 1** Collaborate with domestic violence service agencies to design education and training programs which meet the needs of survivors of violence.
 - | Programs can be designed with case management or counseling so that survivors can have easy access to the additional supports they need.
 - | Programs can be designed with flexible time standards (part-time hours, flexible start and end dates) so that survivors can participate as much as possible while also maximizing their ability to attend to unexpected domestic violence related needs.
- 2** Collaborate with each other to provide accurate information about and referral to all suitable programs.
 - | Education and training programs are funded and run by numerous state and federal sources. A system must be in place to ensure information about and referral to all suitable programs so that a survivor's access does not depend on his/her source of entry into the education and training system.

What state agencies can do:

- H**elp survivors participate in education and training programs by facilitating access to income supports.
- | The Division of Employment and Training can promote use of Section 30 benefits by increasing awareness of the program generally and of the domestic violence provisions in particular.
 - | The Department of Transitional Assistance can implement policies which

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promote education and training opportunities, such as:

- Counting participation in training programs as counting fully towards the work requirement without any legislative change.
- Waiving the work requirement and time limit for survivors who could not participate in education or training in the past because of domestic violence.
- Granting time limit extensions where necessary to participate in or complete education and training programs.

What the workforce development system (including community colleges, providers of service providers and the legislature) can do:

Work in concert to develop policies to improve access to education and training for survivors of domestic violence and to meet the state's need for a well-trained stable workforce.

- I The legislature can authorize DTA to count education and training fully towards the TAFDC work requirement.
- I The state can adopt policies and performance standards which recognize that survivors of domestic violence may have education and training needs which need special attention in the design of education and training programs and programs which serve these needs should be rewarded.

Legal Assistance and Court Access: Seeking Safety and Justice

“Negotiating divorce, custody and child protection services through the courts was an almost two year nightmare of accusations, evaluations, harassing motions being filed and court ordered supervised visitation and terror for us all until we were finally believed. My family spent nearly \$6,000....”

Danielle, Survivor, Lawrence Hearing

“One of my big obstacles was getting legal help. When you have no money, you have no place to go, and you have the abuser . . . you can’t afford a lawyer to help you with everything. It’s just that’s a thing that would help: some assistance with legal help.”

Susan, Survivor, Plymouth Hearing

“Another obstacle is that courts do not take domestic violence seriously. Batterers are allowed to drag divorce cases out forever. This cost a lot of money as well as a lot of stress. The courts do not realize that it is just a last means of controlling the victim.”

Sue, Survivor, Springfield Hearing

“I continue to be abused– not only by him but by the very agencies and courts designed to help women and children.”

Karen, Survivor, Plymouth Hearing

Difficulty accessing legal assistance and continuing abuse through the court system made it harder for survivors to escape domestic violence and deepened their economic struggles.

Nearly half of those who testified described their problems dealing with the legal system and accessing representation as major barriers to their economic stability and escape from abuse.

Survivors detailed the multiple tactics batterers use to control survivors and to prolong and manipulate the legal process: filing numerous frivolous motions, not appearing for scheduled hearings, seeking custody in response to court ordered child support, and forcing numerous evaluations. While batterers were rarely if ever sanctioned, many survivors lost their jobs as a result of absences necessary to attend court dates. Equally troubling, survivors described feeling worn down and fearful of the impact on and threats to their children. As a result, many gave up rights, including financial rights, in order to be free of the abuser and continuing abuse through the court process. Survivors detailed how the lack of batterer-accountability disempowered them in their efforts to protect and care for their families.

A victim of violence has a variety of legal remedies which may be pursued including securing safety with a protective restraining order (209A order), obtaining custody or financial support, dissolution of the marriage, or filing criminal charges. For many survivors, being able to take advantage of legal remedies is prohibitively difficult. Typically, the first contact that a victim of violence may have with the courts is while obtaining a protective order. Many courts, clerks, and special advocate programs are prepared to assist victims of violence at this stage to prepare papers to obtain protective orders. However, a victim of violence attempting to go forward in court without counsel is often unable to take advantage of the full range of remedies available under the law let alone contending with manipulation of the court process by a batterer. Court appearances, even without the trauma of domestic violence, can be stressful. As articulated by one mental health expert on trauma issues: “[i]f one set out to design a system for provoking intrusive post-traumatic symptoms, one could do no better than a court of law.” (*Herman, J. Trauma and Recovery: the Aftermath of Violence - From Domestic Abuse to Political Terror*, 72 (1992).)

Many victims of violence believe that it is safer to avoid going to court, particularly if they do not have access to an advocate or counsel. Fear that without counsel, the risk of loss of custody of children or inadequate financial support is insurmountable makes many victims feel forced to return to their batterers. This problem is further exacerbated if the abuser is represented by counsel.

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As defendants have become increasingly aware of the consequences of having a restraining order (209A order) entered against them, the number of litigants contesting these orders and requesting evidentiary hearings has increased.

In addition, many batterers use the legal system to punish their partners for taking steps to free themselves from domestic violence. (*Valente, R. Screening Guidelines, in The Impact of Domestic Violence on your Legal Practice, 2-4 (American Bar Association, 1996).*)

While several pro bono programs, law student programs, or victim assistance programs are available to assist victims at these contested hearings, many continue to go without representation as the availability of and level of assistance varies across the state.

[**The legislature has funded civil legal assistance to battered women in Probate and Family Court since FY'95, starting with a small pilot program in four cities. While the program is now statewide, it provides assistance to only two out of five people who are eligible, due to limited resources and insufficient funding. (This finding is based on a survey of intake data conducted by the Equal Justice Commission across the state for a two-week period in 2000).**

Many legal aid programs are often forced to choose among victims of violence who need representation, trying to select victims in the most dire need. Those turned away often have extensive abuse histories, valid claims, and difficult cases. For example, victims of violence without minor children are given lower priority and are often turned away because limited resources are devoted to cases where victims risk losing custody of children. Services offered through legal aid agencies are restricted to victims of violence who are at or below 125% of the poverty level.

So in addition to legal aid agencies lacking sufficient funds to serve all the eligible families who seek representation, there are a significant number of survivors who do not qualify for legal aid but cannot afford private attorneys.

Pro bono assistance for these cases outside the context of legal aid programs is rare given the time factor and skills required to represent a victim of violence adequately. Most judges rarely order an opposing party to pay counsel fees. Even if judges enter such orders, they occur after counsel has had to expend considerable resources which makes the private bar reluctant to take such cases, even if the batterer's income is such that any fees award would likely be recoverable. Educating the courts about the impact on the custodial parent and children of dealing with legal action pro se may help courts make more equitable decisions.

Recommendations

What legal agencies can do:

- 1** Private law firms and legal aid agencies can work together to expand access to legal representation. For example:
 - | Look for new resources to develop more programs offering service on a sliding fee scale so more low and moderate income people can access representation.
 - | Develop additional pro bono resources to represent families unable to obtain representation through existing legal services entities.
 - | Work with the Massachusetts Legal Assistance Corporation to explore options to enable local legal aid programs to provide some assistance to victims of violence who are above the federal poverty level but who are unable to pay for an attorney, perhaps providing assistance to victims within 200% of the federal poverty levels.

What the courts can do:

- 1** Judges and court personnel can receive expanded training addressing the dynamics of abuse, including techniques to assist courts in identifying patterns of continuing abuse, such as the filing of retaliatory or frivolous motions.
- 2** Courts can explore and promote policies which make the judicial process more amenable to unrepresented survivors of violence. Such steps could include:
 - | Reviewing rules and procedures which may discriminate unfairly against pro se litigants.
 - | Making staff available in courts to help litigants understand the court process.
 - | Providing written materials to explain a survivor's basic rights under the law.
 - | Arranging for the Probate Court probation officers to inform litigants

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routinely of the role of the Family Service Office, the right to go before a judge, and the fact that information gathered by the Family Service Office is not confidential and who will have access to that information.

- 3** Court personnel can take steps to limit a batterer's ability to control and abuse a survivor through the court process.
 - I Judges can make more effective use of available sanctions for abuse of court process, including contempt of court or refusing to schedule repeat motions.
 - I Judges can order an opposing party to pay counsel fees more frequently and earlier in the course of litigation so that a survivor can access legal representation to curtail attempts to manipulate the court process.

What the legislature can do:

- 1** The legislature can authorize and appropriate necessary funds to build on existing models and create additional capacity for survivors' legal representation.
 - I The legislature can increase funding for the Battered Women's Legal Assistance Program to enable funded organizations to expand of both the range of services provided (i.e. beyond Probate and Family court) and the number of survivors served.
 - I Enable Probate and Family Courts to appoint counsel to represent victims of violence in certain cases.

Public Awareness Efforts: Engaging the Public by Increasing Knowledge and Modeling Behavior

“We are all survivors in one way or another. Knowledge is what makes us stronger....”

Iris, Survivor, Plymouth Hearing

“We must recognize that the stigma of domestic violence needs to be placed on the batterer and not their victims. We must continue to reinforce that violence and terrorism in our homes is not a private matter and that all of society pays the price.”

Deborah, Survivor, Springfield Hearing

“Humiliation caused by workers in state positions, police officers, relatives and others for lack of awareness and education around domestic violence has been devastating to lives and spirit.”

Guinevere, Survivor, Boston Hearing

“I wish those working with me at the different agencies, including the schools, had a better understanding of how all this affects children and how unless we help the children now, they will have a hard time holding jobs and being productive in the future.”

Goele, Survivor, Boston Hearing

Broadly distributed information about domestic violence can offer a critical lifeline to those in need of services while raising awareness that will shift public attitudes by dispelling myths, providing solutions and encouraging action toward ending domestic violence.

Over the past thirty years, public awareness and understanding of domestic violence has risen dramatically. Outreach and educational efforts, public awareness campaigns and media coverage have brought the issue of domestic violence more fully into the public consciousness. Community-based groups as well as statewide public and private groups have financed efforts such as posters, billboards, and radio and television commercials that aim at letting victims know that it is not their fault, that they deserve to be safe and that they are not alone. Still, funding for domestic violence efforts in Massachusetts, paralleling national trends, is heavily weighted toward services rather than awareness initiatives. In Fiscal Year 2001, of the \$25 million allocated in the state budget for direct services only 5% was targeted for awareness and education. In Fiscal Year 2003, domestic violence programs suffered a series of budget cuts, further squeezing funds for efforts other than direct services.

Awareness campaigns have primarily had four goals:

- 1) reaching out to victims of domestic violence with information about resources;
- 2) educating the viewer that domestic violence occurs;
- 3) challenging myths about domestic violence and spreading the message that “there is no excuse for domestic abuse”; and
- 4) engaging the viewer to see themselves as part of the solution to end domestic violence.

To a large extent, these campaigns have been successful at changing public attitudes about domestic violence. The majority opinion holds that domestic violence is socially unacceptable and in fact criminal. Still, a general lack of knowledge around the root causes of domestic violence as well as its psychological, economic and social effects on victims is widespread. One survivor shared an all too familiar experience: “Doctors, counselors, and ministers asked me what I was doing to get him so angry and to please try harder to please him.” (Manet, Survivor, Lawrence Hearing) Throughout the hearings, survivors’ stories illustrated again and again that common misperceptions about domestic violence translate into inappropriate comments, decisions and actions that can re-victimize survivors, or at the very least do little to help them in their difficult situations.

Widely held misperceptions and stereotypical judgments reinforce ill-informed policies that create roadblocks to receiving benefits, obtaining court orders, maintaining employment and other necessities for survivors to maintain their economic stability.

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Advocates and survivors identified specific constituencies in which sensitivity to and knowledge about domestic violence posed additional barriers and to which future public awareness campaigns can be directed:

- [Employers: lack of understanding about an employer's responsibility to employees; lack of knowledge of what resources and assistance employers can provide; lack of stated policies on domestic violence, confidentiality, and workplace safety.**
- [Courts and legal system: lack of understanding of the warning signs, dynamics and behaviors of abuse can jeopardize a victim's chances for safety as well as economic stability by removing much-needed financial support; by denying motions for custody, attorney's fees and child support; and by misinterpreting the choices made by victims due to the reality of financial dependence or the impact of going through court proceedings with their batterer.**
- [Schools: lack of training to recognize domestic violence and provide intervention and referral assistance; lack of understanding of the link between children's social, behavioral and academic problems and domestic violence in their homes; lack of policies to address domestic violence, confidentiality, and safety for the child and the parent.**

Testimony also revealed a general lack of understanding about how specific groups are affected by domestic violence. Unique problems and solutions exist for the disabled, deaf and hard of hearing, immigrants and refugees as well as the elderly. These communities often depend on others, including the abuser, for care giving. Similarly, the needs of victims from various age, race, socio-economic and sexual orientation backgrounds will vary and require targeted messages.

The testimony from survivors spoke to the critical lifeline that publicly distributed information can bring to those in need of services. Conversely, survivors expressed how the lack of knowledge of available resources and options and the lack of positive reinforcement can leave victims feeling trapped.

Future campaigns that address the economic difficulties faced by victims of domestic violence have the potential of creating new allies, shifting public policy in this arena and removing barriers to achieving economic stability. Whether or not they are aware of domestic violence, everyone is affected by domestic violence and everyone can be part of the solution. Public awareness is a vital educational tool which is the first line of prevention.

Recommendations

What everyone can do:

Non-profit, corporate and government sectors each have a role to play to raise awareness, to dispel myths, to distribute resources and to encourage action that will address the economic barriers to safety. All of these efforts must aim to:

- | Reach the general public as well as specifically targeting non-traditional audiences such as the disabled community, non-English speakers, the Lesbian, Bisexual, Gay and Transgender community, immigrants and others;
- | Create materials, campaigns and strategies in a variety of forms that can be replicated (addressing awareness, detection, development of policies, available resources); and
- | Encourage collaborative work among community-based groups, government and the private sector.

What Community-Based Groups can do:

Through their advocacy, education and outreach efforts, community-based groups must continue to make resources widely available and to offer their technical skills and expertise to provide training for other sectors.

- | The Task Force on Children Affected by Domestic Violence has developed a mechanism for schools to address the needs of children who are suffering from the traumatic effects of exposure to violence. For additional information contact, the Task Force on Children Affected by Domestic Violence at the Massachusetts Advocacy Center 617-357-8431.

What Community Members and Business can do:

Learn more about the role they can play in meeting the economic needs of survivors and to team up with others that can provide expertise in this area. Involvement might include:

- | Adopt, Advertise and Enforce Domestic Violence Policies.

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- | Distribute resource information.
- | Offer support to local service providers (i.e., sponsor events, recruit volunteers).
- | Participate in anti-violence efforts such as Domestic Violence Community Round Tables and Employers Against Domestic Violence.

What Government can do:

Vastly improve public awareness efforts by taking the following steps:

- | Recognize public awareness as an integral part of effective intervention and prevention efforts.
- | Provide public funding for awareness efforts.
- | Participate directly in the creation and distribution of public awareness efforts as well as facilitating collaborations within other sectors.

What the Media can do:

As the primary source of information regarding these issues, the media is encouraged to look closely at its policies and practices regarding the reporting and presentation of these issues and at its role in creating a public forum on this topic. Specifically:

- | Attend to the complexity of these issues, including the need for confidentiality in terms of safety for survivors and the impact of language when describing these crimes (e.g., not characterizing domestic violence as a “rocky marriage”).
- | Familiarize themselves with local and state contacts and resources.

What Survivors can do:

Continue to tell your stories. Look for opportunities, volunteer, speak the truth.

**The Economic Impacts of Domestic Violence, A Blueprint for Action:
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Statewide Hearings on the Economic Impacts of Domestic Violence

The Economic Impacts of Domestic Violence, A Blueprint for Action: Acknowledgments

Listening Panelists:

Springfield, June 14, 2001

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Meredith Wise, President, Employers Association of the Northeast, Agawam, MA

Plymouth, June 20, 2001

Barbara Boblis, First Vice President, Rockland Trust, Randolph, MA

Phil Cummings, Director, Brockton Department of Transitional Assistance

Arlene Harrington, Sr. Account Executive Mason and Madison, Boston, MA

Joshua Mant, Aide, Senator Teresa Murray, State House

Lisa Mazzotta, Marketing Director, Hanover Mall, Hanover, MA,

Michelle Gordon Seymour, HR Manager, Reebok, Inc., Stoughton, MA

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Lawrence, June 21, 2001

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Senator Susan Tucker, State House

Boston, June 25, 2001

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